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NEW MEXICO ENVIRONMENT DEPARTMENT

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RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 6, 2015

Mr. Francisco Espinoza,
Public Utilities Director
Town of Taos
Taos Municipal Building
400 Camino De La Placitas
Taos, NM 87571

RE: Taos Regional Landfill; Minor; Industrial Permit; SIC 4953; NPDES Compliance Evaluation Inspection; NPDES NMU001893; March 19, 2015

Dear Mr. Espinoza:

Enclosed please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas, for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Problems noted during this inspection are listed in the inspection report. You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address above) in writing within 30 days from the date of this letter. Further, notify in writing both USEPA (Racquel Douglas, USEPA (6EN), 1445 Ross Ave., Dallas, Texas, 75202), NMED (at the above address) regarding modifications and compliance schedules.

The NPDES Storm Water Multi-Sector General Permit for Industrial Activities (MSGP-2008) was reissued on September 29, 2008. The MSGP, fact sheet and other information on the industrial storm water program can be downloaded at <http://cfpub2.epa.gov/npdes/stormwater/msgp.cfm>.

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If you have any questions about this inspection report, please contact Daniel Valenta at 505-827-2575 or at daniel.valenta@state.nm.us.

Sincerely,

/s/Bruce Yurdin

Bruce J, Yurdin
Program Manager
Point Source Regulation Section
Surface Water Quality Bureau

Cc: Rashida Bowlin, USEPA (6EN-AS) by e-mail
Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail
Racquel Douglas, USEPA (6EN-WM) by e-mail
Brent Larsen, USEPA (6WQ-PP) by e-mail
Gladys Gooden-Jackson, USEPA (6EN-WC) e-mail
NMED District II, Robert Italiano by e-mail



Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 N 2 5 3 N M U 0 0 1 8 9 3 11 12 1 5 0 3 1 9 17 18 ~ 19 S 20 2					
Remarks					
L A N D F I L L					
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67 69	70 2	71 N	72 N	73 74 75	80

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)	Entry Time /Date 1505 hours/ 3-19-15	Permit Effective Date 9-29-2008
Taos Regional Landfill – 24670 US Highway 64, Taos 87571 Taos County About 4.4miles northwest of Taos, N.M., sections 34 and 35 projected, range 12 east, township 26 north, NMPM.	Exit Time/Date 1615 hours/ 3-19-15	Permit Expiration Date 9-29-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data	
Mr. Claudio Martinez/Landfill Superintendent/575-751-3577/ fax 575-751-2049	GPS:	
Name, Address of Responsible Official/Title/Phone and Fax Number	N. 36.449736 W. 105.642439	
Mr. Francisco Espinoza, Taos Municipal Building, 400 Camino De La Placitas, Taos, NM 87571/ Town of Taos Public Utilities Director/575-751-2047	SIC: 4953 Activity code: LF	
Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

U	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
N	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
S	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	N	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

1. FACILITY HAS NOT APPLIED FOR AND RECEIVED REQUIRED NPDES PERMIT COVERAGE.
2. SEE ATTACHED REPORT AND FURTHER EXPLANATIONS.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Daniel Valenta /s/Daniel Valenta	NMED/SWQB 505-827-2575	4/6/2015
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
Sarah Holcomb /s/Sarah Holcomb	NMED/SWQB 505-827-2798	4/6/2015

**Compliance Evaluation Inspection
Taos Regional Landfill
March 19, 2015
NMU001893**

Further Explanations

Introduction

On March 19, 2015, a Compliance Evaluation Inspection was conducted at the Taos Regional Landfill (TRLF) (Standard Industrial Classification 4953, Activity Code LF) located 4.4 miles northwest of Taos, New Mexico by Daniel Valenta and Sandra Gabaldon of the State of New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB). The purpose of this inspection was to document the operator's status regarding the NPDES multi-sector general storm water permit (MSGP) for industrial activities (this facility has industrial activities being conducted on-site that meet the description of industrial activities in Sector L) and stormwater regulations at 40 Code of Federal Regulations (CFR) Part 122.26.

This facility is a municipal solid waste landfill that also accepts industrial, and construction debris for final disposal. Stormwater runoff from this facility may discharge into an unnamed arroyo thence into the Rio Pueblo Taos which has a TMDL for temperature and sedimentation/siltation thence into the Rio Grande 20.6.4.122 of the *State of New Mexico Standards for Interstate and Intrastate Surface Waters, 20.6.4 New Mexico Administrative Code (NMAC)*, of the Rio Grande Basin. The designated uses are irrigation, coldwater aquatic life, fish culture, livestock watering, wildlife habitat and primary contact.

At 1505 hours on March 19, 2015 the inspectors arrived at the TRLF where they met with Mr. Claudio Martinez, Landfill Superintendent. The Inspectors made introductions. Mr. Valenta presented credentials and explained the purpose of the inspection. A brief exit interview to discuss preliminary findings was conducted with Mr. Martinez at the site, the inspection ended at 1615 hours on March 19, 2015. This report is based on a review of the files maintained by the permittee and NMED, on-site observation by NMED personnel and verbal information provided by Mr. Martinez.

Findings:

TRLF is an existing solid waste facility operating under New Mexico Solid Waste permit no. SWM-109103 issued in August 2001. TRLF is located in Taos County at 24670 U.S. Highway 64 approximately seven miles northwest of the Town of Taos. The facility is 230 acres in size with approximately 100 acres intended for waste disposal. Under the current permit, 47.7 acres of the facility are presently authorized for waste disposal.

TRLF currently receives municipal solid waste, including construction and demolition debris (C&D), green waste, and tires from commercial haulers and the public. Solid waste is placed and compacted in lined cells that are served by environmental control systems (leachate collection, methane monitoring, groundwater monitoring, stormwater management controls, composite liners). At the end of each working day, the working face of the waste disposal area is covered with at least six inches of soil or an alternative daily cover approved by the Department. Limited recycling (scrap metal, white goods) is currently conducted at the facility. TRLF received approximately 32,000 tons of solid waste in 2013, but the solid waste rate is expected to increase in future years.

The wastes which are disposed of in Municipal Solid Waste Landfills (MSWLF) are highly variable. Examples include household waste (including household hazardous waste which is excluded from Resource Conservation and Recovery Act (RCRA) hazardous waste regulation), nonhazardous incinerator ashes, commercial wastes, yard wastes, tires, white goods, construction wastes, municipal and industrial sludges, asbestos, and other industrial wastes. Only a small percentage of all wastes disposed of in TRLF are industrial wastes.

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In 1988, EPA's Report to Congress on solid waste generation indicated that nearly 90 percent of wastes disposed of in all MSWLFs were household or commercial (office) wastes. Industrial process wastes represented only 2.73 percent of the total waste stream (although most MSWLFs currently or have previously accepted industrial wastes and are therefore subject to storm water permitting requirements).

Therefore, once a Municipal Landfill accepts industrial waste it is subject to storm water permitting requirements. For active landfill areas, these plans should be tailored toward minimizing contact of storm water with waste materials. The plans should also include design and implementation of best management practices (BMP'S) and/or treatment methods to control the pollutants likely to be found in runoff at the site.

For the active portion of the landfill, this section also requires quarterly monitoring for Total Suspended Solids (TSS) and total recoverable iron to quantify the performance of BMPs/treatment measures should a discharge occur. If discharges occur there is a reasonable potential for runoff to contact waste materials. In these areas, runoff may also become commingled with leachate. In addition, TSS levels are also likely to be elevated where contact occurs with wastes, disturbed areas, and daily/ intermediate cover materials.

This landfill is a non-hazardous waste landfill as defined in 40 CFR Part 445, Subpart B and is therefore subject to the numeric effluent limitations discussed in Table 8.L-1-2 of the permit. Effluent limitations sampling had not been conducted at the time of the inspection, however, the facility staff should be aware that this sampling must be conducted if there is runoff of contaminated storm water. The operator is required to prepare a SWPPP and implement BMPs in order to reduce pollutants in stormwater discharges from the facility.

Finding:

TRLF is an existing solid waste facility operating under Solids Waste Bureau permit no. SWM-109103 issued in August 2001. The facility does not have Multi-Sector General Permit coverage. The facility has not prepared the required documents to file for and receive a permit or conducted the required inspections.

1. Permit Requirements: Requirement to obtain a permit

- *Section 301 (a) of the Federal Water Pollution Control Act (a.k.a. Clean Water Act) states that "Except as in compliance with this section and sections 302, 206, 207, 318, 402 and 404 of this Act, the discharge of any pollutant by any person shall be unlawful."*
- *40 Code of Federal Regulations Part 122.21 (a) Duty of apply (1) states "Any person who discharges or proposes to discharge pollutants ...must submit a complete application to the Director in accordance with this section and part 124 of this chapter."*
- *In Part 1.3.1 of the MSGP, it states, "To obtain authorization under this permit, you must: Meet the eligibility requirements, submit a complete and accurate Notice of Intent (NOI) either using EPA's electronic Notice of Intent system or using a paper form...and Develop a Stormwater Pollution Prevention Plan (SWPPP) according to the requirements of part 5 of this permit."*

NMED/SWQB

Site Overview

City/County: Northwest of Taos, NM	Taos County	
Location: About 4.4miles northwest of Taos, N.M., sections 34 and 35 projected, range 12 east, township 26 north, NMPM.		
Subject: Overview of Taos Regional Landfill, Google Earth 2015.		



**NMED/SWQB
Official Photograph Log**

Photo # 1

Photographer: Daniel Valenta	Date: 3/19/15	Time: 1532 hours
City/County: Northwest of Taos, NM	Taos County	
Location: Taos Regional Landfill, about 4.4miles northwest of Taos, N.M., sections 34 and 35 projected, range 12 east, township 26 north, NMPM, facing east.		
Subject: Unloading area at the TRLF.		



**NMED/SWQB
Official Photograph Log**

Photo # 2

Photographer: Daniel Valenta	Date: 3/19/15	Time: 1537 hours
City/County: Northwest of Taos, NM	Taos County	
Location: TRLF, about 4.4miles northwest of Taos, N.M., sections 34 and 35 projected, range 12 east, township 26 north, NMPM, facing east.		
Subject: Storage cell at the TRLF. Rainstorm approaching facility.		



**NMED/SWQB
Official Photograph Log**

Photo # 3

Photographer: Daniel Valenta	Date: 3/19/15	Time: 1539 hours
City/County: Northwest of Taos, NM	Taos County	
Location: TRLF, about 4.4miles northwest of Taos, N.M., sections 34 and 35 projected, range 12 east, township 26 north, NMPM, facing northeast.		
Subject: Activity at the TRLF, covering dirt in background.		



**NMED/SWQB
Official Photograph Log**

Photo # 4

Photographer: Daniel Valenta	Date: 3/19/15	Time: 1539 hours
City/County: Northwest of Taos, NM	Taos County	
Location: TRLF, about 4.4miles northwest of Taos, N.M., sections 34 and 35 projected, range 12 east, township 26 north, NMPM, facing northeast.		
Subject: Storage cell at the TRLF. Rainstorm approaches facility.		

